



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

**Region 1**

**5 Post Office Square, Suite 100  
Boston, MA 02109-3912**

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

**APR 05 2012**

**URGENT LEGAL MATTER  
REQUIRES PROMPT RESPONSE**

Bradford Manning, Director  
UNH Office of Environmental Health and Safety  
11 Leavitt Lane  
Perpetuity Hall  
Durham, NH 03824

Re: Clean Air Act Reporting Requirement

Dear Manning:

The United States Environmental Protection Agency ("EPA") is evaluating whether the University of New Hampshire ("UNH") located in Durham, New Hampshire is in compliance with applicable state and federal requirements under the Clean Air Act ("the Act").

Section 114(a)(1) of the Act, 42 U.S.C. § 7414(a)(1), gives EPA the authority to require any person who owns or operates any emission source to establish and maintain records, make reports, sample emissions, and provide such other information as may reasonably be required to enable EPA to determine whether a facility is in compliance with the Act. EPA issues this Reporting Requirement under the authority of Section 114(a)(1) of the Act.

**Definitions**

"Day" shall mean a calendar day. When any due date herein falls on a weekend or holiday, the due date shall be deemed to be the following business day.

"Date of receipt" shall be the date indicated on the certified mail "green card," or in any other written acknowledgement of receipt of this Reporting Requirement.

"UNH" means the University of New Hampshire located in Durham, New Hampshire.

"Hazardous air pollutant" or "HAP" shall be as defined at Section 112(b) of the Clean Air Act, 42 U.S.C. §7412(b).

“Volatile organic compound” or “VOC” shall be as defined at 40 CFR §51.165.

“Towel” means any fabric used by the UNH facility staff to remove inks, solvents, thinners, oils or other material containing VOCs or HAPs from surfaces, hands, machinery or equipment. (These “towels” are typically used in printing and mechanic shops.)

### **Reporting Requirement**

Within 30 days of receiving this Reporting Requirement, provide a separate numbered response to each numbered paragraph or subparagraph below.

1. Provide the specific locations (by building, and/or department) at UNH that generate soiled towels. Name and describe the processes that use the towels.
2. Describe the appearance and/or composition of towels and any type of categorization used by UNH or towel suppliers (e.g., orange shop towels, green print towels).
3. Provide any and all data describing the VOC and HAP content of the soiled towels, including information about the specific inks, solvents, thinners or oils contained on the towels.
4. Provide copies of Material Safety Data Sheets, Environmental Data Sheets, Technical Data Sheets, or any other documentation which indicates the chemical constituents of inks, solvents, thinners, or other chemicals present on towels shipped off site for laundering.
5. Does UNH launder towels on-site? If not, skip to Question 6. If so, provide the:
  - a. Actual type and quantity (in pounds) of soiled towels laundered per month and per year between January 1, 2007 and the present;
  - b. Make, model, capacity and any other operational specifications of each washer and dryer;
  - c. Date of purchase of each washer and dryer;
  - d. Date of installation of each washer and dryer;
  - e. Date that each washer or dryer was put into operation;
  - f. Date that each washer or dryer was taken out of service, if applicable; and
  - g. Specifications of the load cycle times associated with soiled towels, including the typical weight of a load of towels and wash and drying time for each category of soiled towels processed.
6. Does UNH ship towels off-site for laundering? If not, indicate how towels are handled by UNH. If towels are shipped off-site for laundering, provide:
  - a. The actual type and quantity (in pounds) of soiled towels shipped off-site for laundering per month and per year between January 1, 2007 and the present;
  - b. The names and addresses all industrial laundry facilities where towels were shipped for laundering; and
  - c. Copies of documentation (such as bills of lading, invoices, or any other pertinent documentation) that track and reference shipments of soiled towels and their type



and weight (in pounds) to industrial laundries for the period January 1, 2007 to present.

UNH shall submit the information described above to:

Susan Studlien, Director  
Office of Environmental Stewardship  
U.S. Environmental Protection Agency  
5 Post Office Sq. Suite 100 (OES04-2)  
Boston, Massachusetts 02109-3912  
Attn: Joan Jouzaitis, Air Technical Unit

and to

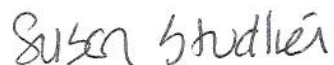
Pamela Monroe, Compliance Bureau Administrator  
New Hampshire Department of Environmental Services  
29 Hazen Drive  
P.O. Box 95  
Concord, NH 03302-0095

Be aware that if UNH does not provide the requested information in a timely manner, EPA may order it to comply and may assess monetary penalties under Section 113 of the Act, 42 U.S.C. § 7413. Federal law establishes criminal penalties for providing false information to EPA. This letter is not subject to Office of Management and Budget review pursuant to the Paperwork Reduction Act, 44 U.S.C. Chapter 35.

UNH may, if desired, assert a business confidentiality claim covering part or all of the information requested, in the manner described by 40 CFR § 2.203(b). Information covered by such a claim will be disclosed by EPA only to the extent, and by means of the procedures, set forth in 40 CFR Part 2, Subpart B. Note that certain categories of information, such as emissions data, are not properly the subject of such a claim. If no such claim accompanies the information when it is received by EPA, the information may be made available to the public by EPA without further notice to UNH. Please be aware that states may have different regulations governing the protection of confidential business information.

If you have any questions regarding this Reporting Requirement, please contact Environmental Engineer Joan Jouzaitis at (617) 918-1846, or have your attorney call Senior Enforcement Counsel Thomas Olivier at (617) 918-1737.

Sincerely,

A handwritten signature in cursive script that reads "Susan Studlien".

Susan Studlien, Director  
Office of Environmental Stewardship

cc: Pamela Monroe, NH DES